

## II. REMARKS

Claims 10-15, 17-21, 23, 24, 26, 27 and 29 are pending in this application. These amendments are being made to facilitate early allowance of the presently claimed subject matter.

Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

Entry of this Amendment is proper under 37 C.F.R. 1.116(b) because the Amendment: (a) places the application in condition for allowance as discussed below; (b) does not raise any new issues requiring further search and/or consideration; and (c) places the application in better form for appeal. Accordingly, Applicants respectfully request entry of this Amendment.

In the Office Action, claims 10-15, 17-21, 23, 24, 26, 27 and 29 are rejected under 35 U.S.C. §103(a) as being unpatentable over Moriyama (US patent no 4,851,999), hereafter “Moriyama” in view of publication Three Way Match Requirement for All Procurement Component Payment by Minnesota Departments of Finance and Administration, hereafter “Procurement Procedure Publication.” This rejection is respectfully traversed for the reasons stated below.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally,

the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP § 2143. Because there is no suggestion or motivation to combine the references in the references themselves or in the art and the prior art references when combined do not teach or suggest all the claim limitations, Applicants respectfully request withdrawal of this rejection.

Applicants first respectfully reassert that there is no suggestion or motivation for combining the references. The Office admits that Moriyama does not specifically teach performing a logical three way match. The fact is that Moriyama does not have any procedure to match orphan records. First, the Moriyama general purpose management system does not provide one or more unmatched invoices as stated by the Office. The Office erroneously attempts to equate the one or more unmatched invoice as provided in the present invention with what the Office refers to as a transactional file in Moriyama, using the following passage:

The data base stored on the hard disc are master files and a data files. The master files include an item master, commodity master, outside order receiver master, construction master, construction location master, supervisor master, department master, docket master, supplier master and personnel master files. The data files include a journalized daybook, financial file (especially an accumulation of journalized daybooks), a construction-related file, a labor particulars file and an inventory file. Moriyama, col. 3, lines 42-51.

Nowhere in the above section does Moriyama provide anything equivalent to the one or more unmatched invoices as provided in the present invention. Furthermore, the above selection does not mention that any element of the Moriyama database is without a match. Logically then, since the Moriyama database has no orphaned files, there is no justification for the Moriyama system

to attempt to perform a match. This logic is borne out in the fact that there is no mention anywhere in Moriyama of matching a new goods received receipt (GRR) with an unmatched invoice. The Office erroneously attempts to equate what it calls the logical operations in Moriyama with the step of matching a new GRR with an unmatched invoice as found in the present invention. However, the quoted sections upon which the Office relies, teach a CPU, a hard disk, a program, a data base, master files, data files, a process for inputting data relating to the receipt of materials or commodities, and the input of data for a transfer slip. See Moriyama, col. 3, lines 40-47; col. 7, lines 16-18, 56-68. Nowhere in the text quoted by the Office does Moriyama mention anything resembling the process of matching one record with another. To this extent, even if the three way match in the Procurement Procedure Publication teaches what the Office asserts, one of ordinary skill in the art would not have any suggestion or motivation for combining the teachings of Moriyama with the Procurement Procedure Publication because there is no justification in Moriyama for matching an orphan record with a matching record. As such, Applicants respectfully request withdrawal of the above-referenced rejection under 35 U.S.C. 103(a).

Even if, *arugendo*, the Office maintains that there is motivation for combining the references, Applicants respectfully submit that the cited combination of art fails to teach each and every feature of the claimed invention. First, the Office alleges that Moriyama teaches providing one or more unmatched invoices, periodically inquiring to determine if a new goods receipt invoice is present and performing logical operations. To support these assertions, the Office points to column 3, lines 30-51 of Moriyama. However, as stated above, Moriyama does not teach such features but instead teaches a CPU, keyboard, CRT, printer, hard disc, general

purpose management program and a database having master and data files. Nowhere in the cited text are unmatched invoices or inquiries to determine the presence of a new goods receipt invoice mentioned.

Further, with respect to independent claims 10, 15, 20, 24 and 27, the combined references cited by the Office fail to disclose a three way match as included in the present invention. The Office erroneously equates the three way match in the Procurement Procedure Publication with the three way match as included in the present invention. The Procurement Procedure Publication three way match is a method to ensure that the three documents that form the basis of the procurement process have been received and are correct, namely: the purchase order, the receipt of goods or services and the vendor's invoice. See Procurement Procedure Publication, paragraph 1; see also Expenditure Accounting and CFMS Payments Training, (hereafter "Training Manual) [www.finance.state.mn.us/agencyapps/training/maps/ap740.pdf](http://www.finance.state.mn.us/agencyapps/training/maps/ap740.pdf), page 79, Overview of the Three-Way-Match Payment Process section attached hereto in Exhibit "A." To accomplish this, the Procurement Procedure Publication specifies that the user must: a) create a requisition or enter an order into the MAPS procurement component, generating an order number; b) enter the receipt information into the MAPS system, using the order number, when the goods are received; and c) enter the information from the vendor's invoice into the MAPS system, using the order number, after the invoice has been received from the vendor. See Procurement Procedure Publication, procedure section, steps 1, 3, and 4. The MAPS system in the Procurement Procedure Publication provides a feature that allows the information from steps 3 and 4 to be entered simultaneously in an all-in-one invoice processing step if they arrive at the same time. See Procurement Procedure Publication, procedure section, step 5. Thus, the three

way match in the Procurement Procedure Publication allows the MAPS system to match the three required documents based on one field, the order number. Training Manual, page 79, final paragraph. However, if there is no order number, the three way match process cannot be accomplished. Id. Conversely, the three way match as found in the present invention compares three fields: the GRR number, the unit price, and the quantity, from two document types: the GRR and each of the unmatched invoices. Furthermore, the three way match as found in the present invention compares the three fields in such a way that if one or more of the fields, e.g. the GRR number, do not match, the match can still be made using the remaining fields. Thus, the Procurement Procedure Publication three way match depending on one field to match three document types is not equivalent to the comparison of GRR number, unit price, and quantity fields of the GRR and unmatched invoice documents in such a manner that if no match is found for one or more of the fields, the match can still be made using the remaining fields in the three way match system as found in the present invention. Accordingly, Applicants request that the rejection be withdrawn.

In addition, Applicants reiterate that the cited combination of art fails to teach the transfer of a matched invoice (i.e., matched based on the claimed three-way match process) and its corresponding logical result to the database tool. In an attempt to show these features, the Office has again referred to column 3, lines 40-47 of Moriyama. However, similar to the other alleged teachings, Applicants have failed to find this claimed feature in Moriyama or Procurement Procedure Publication.


Finally, Applicants herein incorporate the arguments presented above with respect to independent claims 10, 15, 20, 24 and 27 from which claims 11-14, 17-20, 23, 26 and 29 depend.

In particular, since the cited prior art does not teach all the claim limitations of claim 10, 15, 20, 24 and 27, the prior art also fails to teach all the limitations of the dependent claims 11-14, 17-20, 23, 26 and 29. As a result, Applicants respectfully request withdrawal of this rejection.

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,

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